THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24522 of 2005

Dated 30-11-2005

Between:

C.Somaiah Joseph,

Kadapa

…Petitioner

and

…Respondents

The District Manager, F.C.I.,

Kurnool and others

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24522 of 2005

ORDER:

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The petitioner states that he has retired from the service of the respondents, Food Corporation of India, as Watchman, under Voluntary Retirement Scheme; on 19-10-2004. According to him, the respondents 1 to 3 have extended the retirement benefits to the tune of Rs.3,57,000/-, but the amount was appropriated by his wife. He seeks appropraite directions to the respodnents 1 to 3, to release the remaining benefits of retirement.

Learned counsel for the petitioner submits that the petitioner does not intend to press his claim against the 4th respondent, the wife of the petitioner.

Learend Standing counsel for the respondents submits that, as of now, the

only amount payable to the petitioner is the Provident Fund, and as regard the pensionary benefits, the petitioner is yet to submit the papers.

It is not in dispute that the petitioner availed the benefit of voluntary retirement, under a Scheme, evolved by the respondents. The petitioner also submits that the respondents 1 to 3 have extended the same benefit. As regards the pension and other benefits, the petitioner has to make appropriate application. It is only on processing such application, that the petitioner can be extended the benefits. There is no serious dispute as to the entitlement of the petitioner, to receive the Provident Fund.

Learned counsel for the petitioner submits that, taking advantage of the failing health and miserable condition of the petitioner, several persons are planning to take away the retirement benefits of the petitioner. He prays that a Scheme may be framed, for payment of periodical amounts to the petitioner, *lest* it is misused by others.

For the foregoing reasons, the writ petition is disposed of, directing that the respondents 1 to 3, shall release half of the amount payable towards Provident Fund, by depositing the same into the account, opened in the name of the petitioner. The balance of the amount shall be released only after one year.

In case the petitioner submits his papers for pension, the same shall be processed and the pension shall be released without further loss of time. The pension shall be remitted to the account of the petitioner, every month. There shall be no order as to costs.

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L. NARASIMHA REDDY, J

Dt.30-11-2005

Note:

c.c. in two days.

(B/O)KO